

Minutes

THE CITY OF TUTTLE COUNCIL MEMBERS MET IN REGULAR SESSION ON **OCTOBER 9, 2023, at 7:00 P.M.** IN THE TUTTLE CITY HALL BUILDING LOCATED AT 221 W. MAIN STREET

MEMBERS PRESENT: SCOTT DICKSON, TREY BUCK, LARRY WATSON, AUSTIN HUGHES AND AARON MCLEROY

MEMBERS ABSENT: NONE

STAFF PRESENT: DANA SCHOENING, DAVID PERRYMAN, WENDY MARBLE, AARON SLATTERY, DON CLUCK, AMBER RILEY, LAURIE KOELSCH, BRYAN BALENSEIFEN, JULIE MOWDY, WILL SMITH, MIKE FAY AND SEAN FAIRBAIRN

OTHERS PRESENT: LESLIE WALKER AND OTHERS WHO DID NOT SIGN IN

CALL TO ORDER McLeroy called the meeting to order at 7:02 p.m.

ROLL CALL Marble called roll and declared a quorum present

PLEDGE OF ALLEGIANCE Matt Dickson led the pledge

INVOCATION Hughes gave the invocation

ORDER OF BUSINESS

1. INTRODUCTION OF GUESTS / HEARING OF CITIZENS OR DELEGATES

(This is an opportunity for citizens to address the City Council. If you wish to speak at this evening's meeting, please fill out a "Request to Speak" form. The forms are available from the City Clerk's table or at the entrance door. Please turn in your form prior to the start of the meeting. City Council rules and regulations limit visitor comments to a maximum of three minutes should be directed to the City Council as a whole. The Oklahoma Open Meeting Act prohibits the City Council from taking official action on requests made during this portion of the agenda unless otherwise noted on this agenda.)

None

2. PRESENTATIONS, PROCLAMATIONS AND RECOGNITION

a. PRESENTATION from Matt Dickson regarding plans for Eagle Scout project

Dickson presented proposal documents for a Gaga ball pit at Shrock Park. He stated it will attract people to the park. He will provide the size and some materials, all screws have been donated, just need lumber donation. This will be located south of the playground. He asked the city to provide \$700-\$750 for the lumber. Perryman asked if this location has been looked at and Slattery stated yes. Perryman stated the city determines this a public project and donate the funds to the vendor for payment of lumber.

Motion was made by McLeroy, seconded by Watson to approve this project as a public purpose with the funds payable to Tuttle Lumber (T.H. Roger Lumber Company) for 32 items not to exceed \$800. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

b. INTRODUCTION of new employees

Koelsch presented three new employees for the broadband department. Jarime Semmler, IT Technician, Zane Sowers, outside technician and Noah Nation, outside technician.

3. Discussion and questions regarding items on the consent docket

None

4. CONSENT DOCKET

(This item is placed on the agenda so that the City Council, by unanimous consent, can designate routine items and those items requiring minimum discussion to be approved or acknowledged in one motion. If any item does not meet with approval of all Councilmembers, that item will be removed from the consent docket and considered in regular order. In reviewing and responding to any agenda item, the Council may, in whole or in part, adopt, approve, conditionally approve, ratify, deny, defer, amend, strike or continue any item.)

- a. APPROVAL minutes for City Council meeting September 11, 2023
- b. APPROVAL minutes for City Council workshop meeting September 11, 2023
- c. APPROVAL minutes for City Council workshop meeting September 25, 2023
- d. APPROVAL minutes for Special City Council workshop meeting September 25, 2023
- e. ACKNOWLEDGMENT receipt of payroll and claims for September 2023
- f. APPROVAL and RATIFICATION all action taken by the Tuttle Public Works Authority for September 2023
- g. APPROVAL and RATIFICATION all action taken by the Tuttle Development Authority for September 2023
- h. APPROVAL acceptance of Right of Way and Utility and Drainage easements in the 100 block of N. Richland Road from Marvin G Koeltzow and Moena Faye Koeltzow
- i. APPROVAL of agreement with Pitney Bowes for 60-month lease of postage meter equipment at cost of \$73.67 per month
- j. APPROVAL to surplus 1988 Still Forklift from the Street Department

Motion was made by Dickson, seconded by Hughes to approve consent items 4a-j.

Motion carried as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

5. CONSIDERATION of Items Removed from Consent Docket

Strike

6. INFORMATION AND REPORTS

- a. City Manager and Department Reports

Schoening presented fire chief search in progress with 6 applications. Marble stated no report, Koelsch stated no report, Walker stated 500 tickets were sold for the circus and the banquet is next week. Riley stated October 31st Halloween trick or treat downtown with businesses. Balenseifen stated no report, Slattery stated no report, Fairbairn stated no report, Perryman stated no report.

- b. Council Member Reports

None

7. COMMUNITY DEVELOPMENT

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part of **PC 2023-27** request of Shadow Valley Development for approval of Hollow Brook Phase III Final Plat and Acceptance of Infrastructure

Balenseifen presented utilities, street signs installed, sidewalk connections and PSO electric will be after acceptance of plat. Section 10 requires fencing, playground site plan is in the works with developer, access gate at Crystal Dr. is installed and offsite sewer easements have been accepted. Dickson asked about lighting and Balenseifen stated PSO to do this after easements are accepted. Perryman asked if PSO cost or developer and

developer state PSO cost. Hagen stated 15 acres to be deeded and ready for city. McLeroy stated donation could not be part of the PUD. Perryman asked about location of donated land and if there is a detention pond. Hagen stated the 15 acres is level.

Perryman asked about other street access since access to the north is not a street. Hagen stated we don't own the property to the east to make a street connection. McLeroy asked for meeting to discuss access and Hagen stated we are always willing to meet with city and other developers.

Perryman asked if this is ready to adopt. Balenseifen stated other items to be addressed are sidewalk connections, fencing common playground, and PSO to be after plat is final. Rep from Crafton Tull stated sidewalk will be complete and fence will be installed after electric is installed.

Motion was made by Dickson, seconded by Watson to approve PC 2023-27 request of Shadow Valley Development for approval of Hollow Brook Phase III Final Plat and Acceptance of Infrastructure. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

8. GENERAL GOVERNMENT

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding acceptance of FY 2022 Financial Audit presented by Andy Cromer, CPA of HSPG & Associates.

Cromer presented 2022 audit. He stated this is the second year they have performed the audit service for Tuttle. He stated Crawford and Associates help with the audit but they are a separate firm. He presented an unmodified opinion of internal controls and compliance with state law, ordinances and grants. He stated the city has 3-4 months of funds saved up and he stated that 1-3 months is good. He stated utility rate increases and increased usage contributed to \$1 million increase in revenue. The oil & gas litigation could be a liability and there is a disclosure in the report. Overall audit looks very favorable. He thanked Dana, Wendy and staff for their help.

Hughes asked about ARA money. Cromer stated it has to be obligated by 12/2024 and spent by 12/2025.

Motion was made by Dickson, seconded by Hughes to approve acceptance of FY 2022 Financial Audit presented by Andy Cromer, CPA of HSPG & Associates. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

- b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding Agreement of Mutual Cooperation pertaining to maintenance, construction, improvement and repair of certain projects within the City and County

Slattery stated county commissioner had committed to attending the meeting to discuss helping with section line roads, not neighborhood streets, and help with large patch repairs. Slattery stated we purchase materials, and they provide the labor. He stated this is a good step forward and the agreement is through June 2024.

Motion was made by Hughes, seconded by Buck to approve Agreement of Mutual Cooperation pertaining to maintenance, construction, improvement and repair of certain projects within the City and County. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

9. STREETS

a. None

Strike

10. PUBLIC SAFETY

a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding Chickasaw Law Enforcement Commission Agreement

Cluck stated met with Schoening and Perryman regarding agreement. He stated we asked for 60 day opt out, putting in hours and waiting on native police, and ability to take to Grady County. Perryman stated there are some bothersome provisions, but this is the decision of the council. Dickson asked about 60 day opt out and Cluck stated this is giving notice to get out of the agreement.

Motion was made by Hughes, seconded by Watson to approve Chickasaw Law Enforcement Commission Agreement. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

b. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding purchase of Zoll Ventilator in the amount of \$15,000 for Tuttle EMS to be reimbursed by Grady County 522 funds

Motion was made by Hughes, seconded by Buck to approve purchase of Zoll Ventilator in the amount of \$15,000 for Tuttle EMS to be reimbursed by Grady County 522 funds. Motion carries as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

Motion was made by Dickson, seconded by Watson at 8:17 p.m. to enter Executive Session after a 5-minute break. Motion carried as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

Perryman announced for the record that only items on the agenda were discussed in Executive Session and no action was taken in Executive Session.

Motion was made by Dickson, seconded by Buck to reconvene the City Council Meeting at 9:18 p.m.

Motion carried as follows:

Aye: Dickson, Buck, Hughes, Watson and McLeroy

Nay: None

11. EXECUTIVE SESSIONS

(Section 307, Title 25, Oklahoma Statutes permits the public body to meet in executive session for certain specified reasons under certain specified conditions. Any formal action will occur in regular session)

- a. DISCUSSION, CONSIDERATION and POSSIBLE ACTION, including, but not limited to, Approval, Denial, Amendment, Revision or Conditional Approval, in Whole or in Part regarding the Annual September Review of the Managerial Performance of the Tuttle City Manager. Said Review may be conducted during this meeting or scheduled for a later date. It is anticipated that the City Council may choose to convene in Executive Session to address this Agenda Item. If so, the anticipated Executive Session shall be held and conducted pursuant to Title 25, Oklahoma Statutes, Section 307(B)(1) to Discuss the employment of the Tuttle City Manager, including but not limited to the Managerial Performance of the Tuttle City Manager. Action on this item, if any, will occur in open session pursuant to a publicly recorded vote.
 - 1. CONSIDERATION action related to Executive Session Item 11a

NEW BUSINESS ANNOUNCEMENTS

- 1. City Council Workshop Meeting on Monday, October 23, 2023 at 6:00 p.m.
McLeroy stated there will not be a quorum for the October 23rd meeting and he called a special meeting to be held on October 30, 2023 at 6:00 p.m.
- 2. City Council Meeting on Monday, November 13, 2023 at 7:00 p.m. (workshop at 6:00 p.m.)

ADJOURNMENT

Motion was made by Hughes, seconded by Buck to adjourn the meeting at 9:21 p.m.
Motion carried as follows:
Aye: Dickson, Buck, Hughes, Watson and McLeroy
Nay: None

Attest:

Wendy Marble, City Clerk

Aaron McLeroy, Mayor